

**FILED
CLERK**

**IN THE UNITED STATES US DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

2:06 pm, Jan 30, 2023

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

**WILLIAM LEE TUCKER , Individually,
and on Behalf of All Others Similarly
Situating,**

Plaintiff,

v.

**INTERSTATE HOME LOANS CENTER,
INC., ALEX NIVEN, TERENCE CULLEN,
KENNETH TUMSUDEN, ELLEN
ZUCKERMAN, AND JEANNE WICKS**

Defendants.

Case No. 2:2020-cv-01906 (JMA/JMW)

**ORDER GRANTING MOTION
FOR SETTLEMENT
APPROVAL OF A FAIR LABOR
STANDARDS ACT CASE
(UNOPPOSED)**

Plaintiff William Lee Tucker (“Plaintiff”) and Interstate Home Loans Center, Inc., Alex Niven, Terrence Cullen, Kenneth Tumsuden, Ellen Zuckerman and Jeanne Wicks (“Defendants”), by their respective counsel, respectfully submit and consent to the entry of this Order. Having reviewed the Joint Motion in Support of Settlement Approval (the “Motion”), and the Settlement Agreement and Release (the “Agreement”), and for the reasons stated in the Parties’ submissions, the Court GRANTS the Motion and approves the Parties’ settlement, including attorneys’ fees and costs, as a fair and reasonable resolution of a bona fide dispute over Fair Labor Standards Act (“FLSA”) and related wage and hour claims. Moreover, all claims asserted in this action were resolved with the assistance of mediation facilitated by this Court. Accordingly, it is hereby ORDERED that the Agreement reached by the Parties is approved and shall take effect.

It is further ORDERED:

1) That all the terms of the Settlement Agreement, including attorneys' fees and costs, are approved as "a fair and reasonable resolution of a bona fide dispute" over FLSA and state law wage and hour claims.

2) The Parties shall fully execute the Settlement Agreement and Defendant Alex Niven shall execute the attached Confession of Judgment on behalf of Defendant Interstate Home Loan Centers, Inc. within five (5) days of this Court entering this Order.

3) The Parties are ORDERED to perform all obligations under the Settlement Agreement.

3) Defendants shall fund the Settlement in four (4) installments as dictated by the Settlement Agreement.

4) Plaintiff will move to dismiss this matter with prejudice within five (5) business days of the date on which the Defendants have fully funded the Settlement.

5) Following dismissal of this action, this Court will retain jurisdiction to enforce terms of the Settlement Agreement as may be necessary.

6) The Clerk of Court is directed to administratively close this case, for statistical purposes, in light of the parties' pending settlement. Within nine (9) months of the date of this Order, the parties may: (1) file a motion to reopen this case in the event the settlement is not consummated; or (2) file a motion to dismiss this action with prejudice pursuant to paragraph 5 above.

SO ORDERED this 30th day of January, 2023.

/s/ Joan M. Azrack

Hon. Judge Joan M. Azrack

United States District Judge